

Docket No.: 02-5012  
Inventor: John Dent

### REMARKS

The rejection of Claims 1-3, and 5 under 35 USC 102(b) as being unpatentable over Denker (2,677,502) is respectfully traversed, and a reconsideration thereof is respectfully requested.

Claim 1 as amended over comes the 35 USC 102(b) rejection because it has been amended to include said sheet of expanded metal having an open area percentage from 40% to 60%. Denker does not disclose this specific range, and therefore, Claim 1 as amended is patentable over Denker.

Claim 2 as amended over comes the 35 USC 102(b) rejection because it has been amended to include said sheet of expanded metal having an open area percentage from 40% to 60%. Denker does not disclose this specific range, and therefore, Claim 1 as amended is patentable over Denker.

Claim 3 adds additional features to the independent Claim 2 as amended and recited above and thus are submitted to be a-fortiori, patentable.

Claim 5 as amended over comes the 35 USC102(b) rejection because it requires the SWD length of the openings to be in the range of 37 to 57% of the LWD length of the openings. Denker does not disclose any dimensional relationship between the length of the openings of denker to the width of the openings. Denker only describes a preferred range in dimensional units [inches] of the width of the openings, and further, does recognize the importance of maintaining a dimensional relationship between the width and the length of the openings to provide the highest degree of traction attainable on a

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hard packed and low coefficient of friction surface. As such, claim 5 is patentable over Denker.

The rejection of Claims 4, 6 and 8-14 under 35 USC 103(a) as being unpatentable over Denker (2,677,502) is respectfully traversed, and a reconsideration thereof is respectfully requested.

Claim 4 is canceled.

Claim 6 adds additional features to dependent Claim 5, and as amended over comes the 35 USC 103(a) rejection because it specifies the sheets to be cut from a larger sheet of expanded metal so that the longest side of the sheet is parallel to the SWD dimensional lengths of the openings. Denker does not disclose this as a requirement for the traction sheets to provide the highest degree of traction attainable on a hard packed and low coefficient of friction surface.

Claim 8 as amended over comes the 35 USC 103(a) rejection over Denker because it has been amended to include a first pair of at least two non-connected and separate sheets of expanded metal, a second pair of two non-connected and separate sheets of expanded metal of generally rectangular shape, said second pair of sheets including strands and bonds defining a plurality of openings therethrough, and said first pair of sheets each having the same open area percentage in the range of 40% to 60% and said second pair of sheets each have the same open area percentage in the range of 40% to 60%, said first pair of sheets not having the same open area percentage as said second pair of sheets so as to provide the user with a choice of sheets best suited for a particular surface condition. Support for the amendment is found in the specification at paragraph [037].

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Claims 9-11 are canceled.

Claim 12 as amended over comes the 35 USC102(b) rejection because it requires the SWD length of the openings to be in the range of 37 to 57% of the LWD length of the openings. Denker does not disclose any dimensional relationship between the length of the openings of denker to the width of the openings. Denker only describes a preferred range in dimensional units [inches] of the width of the openings, and further, does recognize the importance of maintaining a dimensional relationship between the width and the length of the openings to provide the highest degree of traction attainable on a hard packed and low coefficient of friction surface.

Claim 13 as amended over comes the comes the 35 USC 103(a) rejection because it specifies the sheets to be cut from a larger sheet of expanded metal so that the longest side of the sheet is parallel to the SWD dimensional lengths of the openings. Denker does not disclose this as a requirement for the traction sheets to provide the highest degree of traction attainable on a hard packed and low coefficient of friction surface.

Claim 14 add additional features to the independent claim as amended and recited above and thus is submitted to be a-fortiori, patentable.

In view of the above, it is respectfully submitted that:


The applicant believes the above recited amendments to the claims does not create additional burden on the examiner in examination of the application .

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Claims 1-14, as amended, recite distinctions that are of patentable merit under 35 USC 102(b) and 35 USC 103(a) for the independent claims and thus for each dependent claim as well. Claims 1-14 are in condition for allowance. Reconsideration and withdrawal of the rejections are requested. Allowance of claims 1-14 at an early date is solicited.

Respectfully submitted:



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